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JCS11 U.S. PRO

## UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))J1017 U.S. PRO  
10/043774

01/10/02

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Attorney Docket No. MBHB02-0013

First Named Inventor Sharma et al.

Express Mail No. EL604657315US

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 42]
3. ☒ Drawings [Total Sheets 13]
4. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed
  - b. ☐ Copy from prior application

**[Note Boxes 5 and 18 below]**

  - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy
  - c. ☒ Statement verifying above copies
8. ☒ Small Entity Status
  - ☒ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17. ☐ Other:

18. ☐ This is a CONTINUING APPLICATION. Please note the following:

- a. ☐ This is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.
- d. ☐ The prior application is assigned of record to

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 02-0013

## APPLICATION FEES

## BASIC FEE

\$ 740.00

## CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total Claims

24

-20=

4

x \$18.00

\$ 72.00

Independent Claims

9

- 3=

6

x \$84.00

\$ 504.00

☐ Multiple Dependent Claims(s) if applicable

+\$280.00

\$

Total of above calculations =

\$

Reduction by 50% for filing by small entity =

\$( )

☐ Assignment fee if applicable

+ \$40.00

\$

TOTAL =

\$ 658.00

19. ☒ Please charge my Deposit Account No. 13-2490 in the amount of \$658.0020. ☐ A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

a. ☒ Fees required under 37 CFR 1.16.b. ☒ Fees required under 37 CFR 1.17.c. ☐ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

## 23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

## 24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert &amp; Berghoff

## 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name

Kevin E. Noonan

Reg. No.

35,303

Signature

Date

January 10, 2002

UTIL (Rev. 11/21/00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 02-0013)

PATENT

In the Application of:	)	
	)	
Sharma & Hoffman	)	
	)	Before the Examiner:
Serial No. To be assigned	)	
	)	
Filed: Concurrently herewith	)	Group Art Unit:
	)	
For: Human Hematopoietic Growth Gene and	)	
Uses	)	

**VERIFIED STATEMENT UNDER 37 C.F.R. §1.821(f)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, KEVIN E. NOONAN, do declare and state as follows:

1. I have had prepared a Sequence Listing in paper and computer-readable forms in accordance with 37 C.F.R. §§1.821-1.825 in connection with the above-captioned patent application, both of which are being submitted herewith.

2. I hereby state that, to the best of my knowledge, the contents of the paper and computer-readable copies of the Sequence Listing are the same.

3. I declare further that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: January 10, 2002

Kevin E. Noonan  
Reg. No. 35,303